

REMARKS

Applicants respectfully request entry of the amendment and reconsideration of the claims. Claims 14, 20 and 22 are amended. Claim 21 has been cancelled without prejudice or disclaimer. Claim 23 is newly presented. After entry of the amendment, claims 14-20 and 22-23 will be pending.

No new matter has been added. Support for amendments may be found throughout the specification, for example, at page 3, lines 12-30 and page 4, lines 1-5, 5-20, and 21-25. Amendment of the claims is made solely to expedite prosecution of the above-identified application. Applicants reserve the right to prosecute the same or similar claims in the present or future applications. The amendments made are not related to any issues of patentability.

Priority Claim and Objections to Specification

At page 2 of the Office Action, the Examiner objects to the specification for containing various informalities and the Examiner further requests Applicants insert a claim for priority.

Applicants have amended the specification accordingly and submit the specification complies with the necessary requirements. Applicants respectfully request withdrawal of this objection.

Rejections under 35 U.S.C. § 112

At pages 2-4 of the Office Action, claims 20 and 22 are rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Solely to further prosecution and without acquiescing to the Office Action's rejection, Applicants have amended claims 20 and 22 to further clarify the presently claimed invention. For example, amended claim 20 no longer uses the term Glucoprotamine® and amended claim 22 provides antecedent basis for "the alcohol." Applicants respectfully request withdrawal of this rejection in view of the above amendments.

Rejections under 35 U.S.C. § 102

At pages 4-5 of the Office Action, claims 14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Fowler et al. (US 5635469). Applicants respectfully traverse this rejection.

Solely to further prosecution and without acquiescing to the Office Action's rejection, applicants have amended claim 14 to incorporate the alcohol feature of claim 21 and further state "the low molecular weight alcohols, or mixtures thereof, constitute a total of 20 to 50 wt% based on the overall disinfectant." Fowler does not disclose the elements of amended claim 14. Claim 16 depends from claim 14 and is allowable for at least the same reasons as claim 14. Applicants request withdrawal of this rejection in view of the above amendments

Rejections under 35 U.S.C. § 103(a)

At page 6 of the Office Action, claims 14-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (US 5635469) and Buskirk et al. (US 5856290). Applicants respectfully traverse this rejection.

Solely to further prosecution and without acquiescing to the Office Action's rejection, applicants have amended claim 14 to incorporate the alcohol feature of claim 21 and further state that "the low molecular weight alcohols, or mixtures thereof, constitute a total of 20 to 50 wt% based on the overall disinfectant." Fowler does not disclose nor suggest the limitations of amended independent claim 14. Buskirk fails to overcome the deficiencies of Fowler. For example, neither reference discloses nor makes obvious a composition where "low molecular weight alcohols, or mixtures thereof, constitute a total of 20 to 50 wt% based on the overall disinfectant." Rather, both references focus on the use of other antimicrobial agents such as quaternary ammonium compounds. Claims 15-20 and 22-23 depend from claim 14 and are allowable for at least the same reasons as claim 14. Applicants request withdrawal of this rejection in view of the above argument and amendments.

U.S. Patent Application Serial No. 10/518,784

Amendment dated November 8, 2010

Reply to Office Action of August 9, 2010

Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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Date: November 8, 2010

/Anneliese S. Mayer/

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